

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:21-cv-00237-FL

Symetra Life Insurance Company,)
)
Plaintiff,)
)
v.)
)
Estate of Cassia Renee Duval; James)
Isaac Jones, Jr., David Todd Duval and)
Melissa Jones,)
)
Defendants.)

AMENDED DEFAULT JUDGMENT

This matter coming on before the undersigned District Court Judge for the Eastern District of North Carolina, upon Defendants, the Estate of Cassia Renee Duval, David Todd Duval, and Melissa Jones' Motion for Default Judgment as to Defendant, James Isaac Jones, Jr. pursuant to their Crossclaim, the Court hereby finds as follows:

1. Plaintiff filed this Interpleader action on June 1, 2021 and filed an Amended Complaint on June 10, 2021.
2. Defendants, the Estate of Cassia Renee Duval, David Todd Duval, and Melissa Jones, filed an Answer and Crossclaim against Defendant, James Isaac Jones, Jr. (herein "Defendant Jones") on June 21, 2021.
3. Defendant Jones was served with the Summons and Crossclaim via Federal Express on July 15, 2021.

4. Defendant Jones' response or answer was due on or before August 4, 2021.

5. Defendant Jones has failed to answer or respond to the Crossclaim within the time provided and Defendant Jones is neither in the state of infancy nor in the state of incompetency.

6. Entry of Default was properly entered by the Clerk of Court for the United States District Court for the Eastern District of North Carolina on September 21, 2021.

7. Defendants' Crossclaim requests that the Court find that Defendant, Estate of Cassia Renee Duval, is entitled to the \$30,000.00 insurance proceeds that are the subject of this interpleader action.

8. As Entry of Default has been entered as to Defendant Jones, it is judicially admitted that Defendant, Estate of Cassia Renee Duval should be paid the proceeds of the Policy and Plaintiff does not take a position on this issue and seeks to pay these funds to whomever the Court directs that they be paid.

9. Defendants, the Estate of Cassia Renee Duval, David Todd Duval, and Melissa Jones, are entitled to Default Judgment as to its Crossclaim against Defendant Jones.

Now, therefore, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, Default Judgment is hereby entered against Defendant, James Isaac Jones, Jr., as to the Crossclaim filed by Defendants, the Estate of Cassia Renee Duval, David Todd Duval, and Melissa Jones, in this action, and Plaintiff is hereby directed

to submit the insurance proceeds in the amount of \$30,000.00 plus accrued interest accrued in accordance with Georgia Code Ann. §33-25-10, less Plaintiff's filing fee costs to Nicholls & Crampton, P.A. Trust Account, P.O. Box 18237, Raleigh, North Carolina, 27619, for the benefit of the Defendants, the Estate of Cassia Renee Duval, David Duval and Melissa Jones within ten (10) days of the entry of this Judgment.

IT IS SO ORDERED.

Date: 1/14/22



U.S. District Court Judge for Eastern
District of North Carolina